

**REMARKS/ARGUMENTS**

In response to the Office Action, Applicant respectfully requests reconsideration. Claims 31 - 55 were pending in this application. Claims 31-55 have been cancelled. New claims 56 - 75 are presented herein for consideration.

The new claims are presented for the sole purpose of lending greater specificity and/or clarity to the claimed subject matter and expediting prosecution to conclusion. Support for the new claims can be found throughout the specification and a number of the new claims substantially mirror previously presented claims. Applicant respectfully requests allowance of the present application in view of the foregoing amendments and the following remarks.

Applicant thanks Examiner Keefer for the courtesy extended to Applicant's representative during the January 23, 2008 telephonic interview. During the teleconference, the Examiner and Applicant's representative discussed a draft new claim 56 that further distinguishes the present invention from the cited references. The Examiner appeared to indicate that this new claim language may overcome the cited references because the claims now recite "said validation and remediation routines based on an event class such that the same routines are called for events within the same event class for consistent event processing." Therefore, it is Applicant's representative's understanding that, barring additional materially relevant art found in an updated search by the Examiner, the present claims are now in condition for allowance. The substance of the interview, as well as additional reasons that the claims are patentable, is summarized in the remarks that follow.

**Rejection of Prior Claims under 35 USC 103(a)**

The prior claims were rejected under 35 U.S.C. 103(a) as being unpatentable over *Greenwald* in view of one or more of *Callay*, *Hermann*, *Golov*, *Kojima*, *Daniel*, and *Chivaluri*. Although the prior claims have been cancelled, rendering this objection moot, Applicant submits that the new claims are patentable over *Greenwald* alone or in combination with any of the other art of record and requests allowance of same.

With respect to anticipation, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art

reference. The identical invention must be shown in as complete detail as contained in the claim. The elements must be arranged as required by the claim.

With respect to obviousness, the Office bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. 103. In re Fritch, 972 F.2d 1260, 23 USPQ2d 1780 (Fed. Cir. 1992). To establish *prima facie* obviousness of a claimed invention, all the claims limitations must be taught or suggested by the prior art. All words in a claim must be considered for judging the patentability of the claim against the prior art. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. Hence, there must be a reason to combine the prior art elements in the way claimed. *KSR International Co. v. Telefax, Inc.*, 127 S.Ct. at 1741 (2007).

To facilitate the reconsideration of claims, the following discussion of the invention as claimed is presented herein for the Examiner's kind consideration and review.

The present invention provides method of managing events in a network to reduce operator intervention invoking an automated triage process that incorporates validation and remediation into an event dispatch process, wherein the automated triage process comprises a plurality of predetermined validation routines for determining valid and invalid events and a plurality of remediation routines for attempting to correct the problem without manual intervention, said validation and remediation routines based on an event class such that the same routines are called for events within the same event class for consistent event processing. [Emphasis added]. Accordingly, the present invention uses a triage process that provides consistent processing during the triage based on event class (i.e., every event in a class gets the same validation and remediation routines invoked thereon). In this way, network management programs receiving event reports no longer have to deal with inconsistent operator interventions every time an event is received and processed. Rather, the triage process of the invention provides a level of consistency not found in the prior art.

With this background in mind, the following detailed discussion of the cited and applied main reference, *Greenwald*, is presented herein for the Examiner's kind consideration.

*Greenwald* is a "System and Method for Diagnosing Faults in Computer Networks." *Greenwald* receives fault data (page 12, line 21) and then runs a routine to determine the path

related to the fault data (page 12, lines 22 - 23). The fault is then analyzed. (page 12, lines 25 - 27). The system also provides for fault resolution 90 by a user (page 20, lines 13 - 15) by reconfiguring network management under fault recourse 80 (page 20 lines 5 - 15). *Greenwald* fails to show or suggest any apparatus, system, or process for invoking consistent remediation routines based on event class. In fact, *Greenwald* teaches away from this type of remediation in that it teaches intervention by a user after fault detection (i.e., there is no consistency). The other art of record does not remedy the shortcomings of *Greenwald*.

In view of the above, Applicant respectfully submits that *Greenwald*, taken alone or in combination with the other cited references, fails to teach or suggest the features of the independent claims. Accordingly, the art of record fails to support a rejection of the independent claims under 35 USC 103. Therefore, the independent claims are believed to be in condition for allowance.

#### Dependent Claims


The dependent claims incorporate all of the subject matter of their respective independent claims and add additional subject matter, which makes them a fortiori and independently patentable over the art of record. Accordingly, Applicant respectfully requests that the outstanding rejections of the dependent claims be reconsidered and withdrawn.

#### Conclusion

In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested. Applicant invites the Examiner to contact the undersigned if there are any issues remaining after entry of this amendment.

Respectfully submitted,

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By: 

Christine Q. McLeod  
Registration No. 36,213  
(407) 926-7723

Beusse Wolter Sanks Mora & Maire  
390 N. Orange Ave, Suite 2500  
Orlando, FL 32801